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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bruce R. Zetter and Lere Bao  
Application No.: To be assigned (cont. of 09/874,736) Group No.: To be assigned (1635)  
Filed: Herewith (filed 06/05/2001) Examiner: To be assigned (James Schultz)  
For: HUMAN THYMOSIN,  $\beta$ 15 GENE, PROTEIN AND USES THEREOF

CERTIFICATE OF MAILING	
I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as Express Mail Label No. EU 813933612 US in an envelope addressed to MAIL STOP PATENT APPLICATION, Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450 .	
Date: 12/3/2003	 Nicole M. Gignac

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir/Madam:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §1.56, 1.97, and 1.98, Applicants wish to bring to the Examiner's attention the following references cited on the attached Forms PTO-A820 and PTO-892.

In re application of:  
Application No.:  
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Bruce R. Zetter and Lere Bao  
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HUMAN THYMOSIN,  $\beta$ 15 GENE, PROTEIN AND USES THEREOF

### REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- X   (1) within three (3) months of the Filing Date or **before the mailing date of the First Office Action** on the merits in the CPA application; or
- (2) within three months of the mailing date of the PCT International Search Report; or
- (3) after the period defined in (1) but before the mailing date of a **Final Rejection or Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$180.00**, is included herein; or
- (4) after the mailing date of a **Final Rejection or Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

       A copy of the International Search Report is enclosed herewith.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

       are enclosed herewith; or

  X   have been cited in the parent application, and are thus not being resubmitted herein.

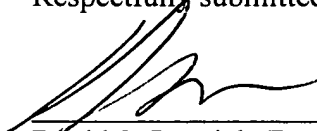
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### FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850. Any overpayments should be credited to said Deposit Account.

Date: 12/3/03

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)

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# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

46507-DIV5

not yet assigned

Applicant(s)

Zetter, et al.

Filing Date

herewith

Group Art Unit

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,831,033	11/3/98	Zetter, et al.			

## FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
BA	0 121 912	10/84	EPO				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

CA	Bao, et al., Proceedings of the American Association for Cancer Research, Annual Meeting, Vol. 36, page 85 XP002041934, see Abstract A505 (1995)
CB	K. Kwiatowska, et al., Molecular Biology of the Cell, Supplement, Vol. 6, pg 141A XP002041935, see Abstract 816 (1995)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Bao, et al., The American Association for Cancer Research annual meeting (March 18-22, 1995) Abstract.

EXAMINER

DATE CONSIDERED

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Zetter, et al.

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EXAMINER INITIAL	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
CO	Clauss, et al., Genomics 1991, 9:75-180
CP	Sanders, et al., Proc. Natl. Acad. Sci. USA 1992, 89:4678-4682.
CQ	Sun, et al., J. Bio. Chem., 271:16, pgs 9223-9230 XP002041936 (1996).
CR	S. Varghese, et al., J. Bio. Chem., 266:22, pgs 14256-14261 XP002041937 (1991)
CS	Lin, et al., J. Bio. Chem., 266:35, pgs 23347-23353, XP002041938 (1991)
CT	Bao, et al., Proceedings of the American Association for Cancer Research, Annual Meeting, vol. 38, pages 492-493, XP002041939 (1997)
CU	B. Zetter, 51:4, pg 185 XP002041940 (1997)
CV	Bao, et al., Nature Medicine, 2:12, pgs 1322-1328 XP002041942 (1996)
CW	D. Coffey, Nature Medicine, 2:12, pgs 1305-1306 XP002041942 (1996)
CX	European Search Report for PCT/US97/10315, mailed October 22, 1997.
EXAMINER	DATE CONSIDERED

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**Notice of References Cited**Application/Control No.  
09/874,736Applicant(s)/Patent Under  
Reexamination  
ZETTER ET AL.Examiner  
J. Douglas SchultzArt Unit  
1635

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<del>1/16</del>	A	US-5,663,071	09-1997	Zetter et al.	435/325
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
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	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
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**NON-PATENT DOCUMENTS**

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	U	Agrawal, S. Trends Biotechnol. 1996 Oct; 14(10):376-87
	V	Gewirtz et al., Proc. Natl. Acad. Sci. v 93, pp.3161-3163
	W	Braasch, D. A. Biochemistry. 2002 April; 41(14): 4503-4510
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\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



**Notice of References Cited**

Application/Control No.

09/874,736

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Reexamination  
ZETTER ET AL.

Examiner

J. Douglas Schultz

Art Unit

1635

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	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

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	U	Tamm, I. et al. The Lancet. 2001, Aug. 358: 489-497			
	V	McCune et al., 2001, JAMA 286(10) 1149-1152			
	W				
	X				

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